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**STATE OF IOWA**

# **Senate Journal**

**MONDAY, JANUARY 23, 2023**

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Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE SENATE

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FIFTEENTH CALENDAR DAY  
NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, January 23, 2023

The Senate met in regular session at 1:01 p.m., President Sinclair presiding.

Prayer was offered by the Honorable Annette Sweeney, member of the Senate from Hardin County, Iowa Falls, Iowa.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Adrien Ibsen.

The Journal of Thursday, January 19, 2023, was approved.

The Senate stood at ease at 1:04 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:20 p.m., President Pro Tempore Zaun presiding.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 94](#).

### Senate File 94

On motion of Senator Sinclair, [Senate File 94](#), a bill for an act relating to education programs and funding by establishing an education savings account program, modifying certain school district categorical funding supplements, making appropriations, providing penalties, and including effective date and retroactive applicability provisions, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Sinclair offered amendment [S-3001](#), filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Sinclair offered amendment [S-3002](#), filed by her from the floor to pages 1–12 and amending the title provisions of amendment [S-3001](#).

### SPECIAL GUEST

President Pro Tempore Zaun introduced to the Senate chamber the Honorable Jerry Behn, former member of the Senate from Boone County, Boone, Iowa.

The Senate rose and expressed its welcome.

The Senate stood at ease at 4:36 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:55 p.m., President Pro Tempore Zaun presiding.

The Senate resumed consideration of amendment [S-3002](#) to amendment [S-3001](#).

Senator Sinclair moved the adoption of amendment [S-3002](#) to amendment [S-3001](#).

A record roll call was requested.

On the question “Shall amendment [S-3002](#) to amendment [S-3001](#) be adopted?” ([S.F. 94](#)), the vote was:

Yeas, 33:

Alons	Bousselot	Brown	Costello
Cournoyer	Dawson	De Witt	Dickey
Driscoll	Edler	Evans	Garrett
Green	Gruenhagen	Guth	Klimesh
Koelker	Kraayenbrink	Lofgren	Reichman
Rowley	Rozenboom	Salmon	Schultz
Shipley	Sinclair	Sweeney	Taylor, J.
Webster	Westrich	Whitver	Zaun
Zumbach			

Nays, 17:

Bennett	Bisignano	Boulton	Celsi
Donahue	Dotzler	Giddens	Jochum
Knox	McClintock	Petersen	Quirmbach
Taylor, T.	Trone Garriott	Wahls	Weiner
Winckler			

Absent, none.

Amendment [S-3002](#) to amendment [S-3001](#) was adopted.

Senator Sinclair moved the adoption of amendment [S-3001](#), as amended.

A record roll call was requested.

On the question “Shall amendment [S-3001](#), as amended, be adopted?” ([S.F. 94](#)), the vote was:

Yeas, 33:

Alons	Bousselot	Brown	Costello
Cournoyer	Dawson	De Witt	Dickey
Driscoll	Edler	Evans	Garrett
Green	Gruenhagen	Guth	Klimesh
Koelker	Kraayenbrink	Lofgren	Reichman
Rowley	Rozenboom	Salmon	Schultz
Shipley	Sinclair	Sweeney	Taylor, J.
Webster	Westrich	Whitver	Zaun
Zumbach			

Nays, 17:

Bennett	Bisignano	Boulton	Celsi
Donahue	Dotzler	Giddens	Jochum
Knox	McClintock	Petersen	Quirmbach
Taylor, T.	Trone Garriott	Wahls	Weiner
Winckler			

Absent, none.

Amendment [S-3001](#), as amended, was adopted.

([Senate File 94](#) was deferred.)

The Senate stood at ease at 5:06 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:29 p.m., President Pro Tempore Zaun presiding.

#### HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 23, 2023, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 68](#), a bill for an act relating to education programs and funding by establishing an education savings account program, modifying certain school district categorical funding supplements and supplementary weighting, making appropriations, providing penalties, and including effective date and retroactive applicability provisions.

Read first time and **attached to** [Senate File 94](#).

(The Senate resumed consideration of [Senate File 94](#).)

Senator Sinclair asked and received unanimous consent that [House File 68](#) be **substituted** for [Senate File 94](#).

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano, until he returns, on request of Senator Wahls.

[House File 68](#)

On motion of Senator Sinclair, [House File 68](#), a bill for an act relating to education programs and funding by establishing an education savings account program, modifying certain school district categorical funding supplements, making appropriations, providing penalties, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Dawson took the chair at 10:08 p.m.

President Pro Tempore Zaun took the chair at 11:06 p.m.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 68](#)), the vote was:

Yeas, 31:

Alons	Bousselot	Brown	Costello
Cournoyer	Dawson	De Witt	Dickey
Driscoll	Edler	Garrett	Green
Gruenhagen	Guth	Klimesh	Koelker
Kraayenbrink	Lofgren	Reichman	Rowley
Rozenboom	Salmon	Schultz	Sinclair
Sweeney	Taylor, J.	Webster	Westrich
Whitver	Zaun	Zumbach	

Nays, 18:

Bennett	Boulton	Celsi	Donahue
Dotzler	Evans	Giddens	Jochum
Knox	Mcclintock	Petersen	Quirmbach
Shipley	Taylor, T.	Trone Garriott	Wahls
Weiner	Winckler		

Absent, 1:

Bisignano

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### WITHDRAWN

Senator Sinclair asked and received unanimous consent that [Senate File 94](#) be **withdrawn** from further consideration of the Senate.

#### IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [House File 68](#) be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 12:28 a.m. until 9:00 a.m., Tuesday, January 24, 2023.

#### APPENDIX

##### COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

##### ECONOMIC DEVELOPMENT AUTHORITY

Innovation Fund Tax Credit Program Report, pursuant to Iowa Code section 15E.52. Report received on January 20, 2023.

Iowa Energy Center Annual Report, pursuant to Iowa Code section 1007.3. Report received on January 20, 2023.

Iowa Reinvestment District Program Report, pursuant to Iowa Code section 15J.4. Report received on January 20, 2023.

## DEPARTMENT OF NATURAL RESOURCES

Proceeds Deposited to the State Fish and Game Protection Fund, pursuant to Iowa Code section 483.A.33. Report received on January 19, 2023.

## REPORT OF COMMITTEE MEETING

## APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

**Convened:** Monday, January 23, 2023, 11:00 a.m.

**Members Present:** Garrett, Chair; Westrich, Vice Chair; T. Taylor, Ranking Member; Boulton, McClintock, and Salmon.

**Members Absent:** None.

**Committee Business:** LSA presentation FY 2024 Governor's budget recommendations.

**Adjourned:** 12:00 p.m.

## INTRODUCTION OF BILLS

[Senate File 109](#), by Costello, a bill for an act relating to the purchasing of a youth deer hunting license and tag.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 110](#), by Salmon, Evans, Alons, Green, Westrich, J. Taylor, Guth, De Witt, and Rowley, a bill for an act relating to gender-transition procedures, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 111](#), by Cournoyer, a bill for an act requiring the state transportation commission to prioritize the improvement of United States highway 30.

Read first time under Rule 28 and referred to committee on **Transportation**.



## STUDY BILLS RECEIVED

**SSB 1063**      **Judiciary**

Relating to noneconomic damage awards against health care providers.

**SSB 1064**      **Judiciary**

Relating to operating-while-intoxicated offenses, including temporary restricted licenses and ignition interlock devices, providing penalties, making penalties applicable, and including effective date and applicability provisions.

**SSB 1065**      **Judiciary**

Relating to service of garnishment notices.

**SSB 1066**      **Judiciary**

Relating to the modification of a bridge order issued pursuant to a previous child in need of assistance case.

**SSB 1067**      **Judiciary**

Relating to probate proceedings, including fiduciary and trustee duties, and including applicability provisions.

**SSB 1068**      **Judiciary**

Relating to eluding or attempting to elude a pursuing law enforcement vehicle, and providing penalties.

**SSB 1069**      **Judiciary**

Relating to restitution for the death of a victim.

**SSB 1070**      **Technology**

Relating to the criminal offense of stalking committed while utilizing a technological device and providing penalties.

**SSB 1071**      **Technology**

Relating to consumer data protection, providing civil penalties, and including effective date provisions.

**SSB 1072**      **Technology**

Relating to ransomware and providing penalties.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 15**

APPROPRIATIONS: Costello, Chair; Dotzler and Lofgren

**Senate File 42**  
(Reassigned)

NATURAL RESOURCES AND ENVIRONMENT: Driscoll, Chair; Bennett and Shipley

**Senate File 88**

JUDICIARY: Shipley, Chair; Petersen and J. Taylor

**Senate File 89**

JUDICIARY: Reichman, Chair; Quirmbach and Rowley

**Senate File 92**

JUDICIARY: Garrett, Chair; Evans and Quirmbach

**Senate File 93**

JUDICIARY: Garrett, Chair; Evans and Quirmbach

**Senate File 95**

WORKFORCE: Driscoll, Chair; Boulton and Kraayenbrink

**Senate File 108**

JUDICIARY: Garrett, Chair; Bisignano and Shipley

**SSB 1063**

JUDICIARY: Schultz, Chair; Boulton and Boussetot

[SSB 1064](#)

JUDICIARY: Rowley, Chair; Knox and Reichman

[SSB 1065](#)

JUDICIARY: Reichman, Chair; Evans and Weiner

[SSB 1066](#)

JUDICIARY: Shipley, Chair; De Witt and Weiner

[SSB 1067](#)

JUDICIARY: Boussetot, Chair; Quirmbach and J. Taylor

[SSB 1068](#)

JUDICIARY: Garrett, Chair; Boulton and Evans

[SSB 1069](#)

JUDICIARY: Zaun, Chair; Boulton and Evans

[SSB 1070](#)

TECHNOLOGY: Cournoyer, Chair; Bennett and Webster

[SSB 1071](#)

TECHNOLOGY: Cournoyer, Chair; Alons and Weiner

[SSB 1072](#)

TECHNOLOGY: Cournoyer, Chair; Alons and Knox

#### AMENDMENTS FILED

<a href="#"><u>S-3001</u></a>	<a href="#"><u>S.F.</u></a>	<a href="#"><u>94</u></a>	Amy Sinclair
<a href="#"><u>S-3002</u></a>	<a href="#"><u>S.F.</u></a>	<a href="#"><u>94</u></a>	Amy Sinclair